

LAW OFFICES

MELTZER, LIPPE, GOLDSTEIN & BREITSTONE, LLP

190 WILLIS AVENUE, MINEOLA, NY 11501

TELEPHONE: (516) 747-0300

FACSIMILE: (516) 747-0653

INTERNET: [www.meltzerlippe.com](http://www.meltzerlippe.com)

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

August 22, 2011

★ AUG 26 2011 ★  
LONG ISLAND OFFICE

Via ECF

Judge Arthur D. Spatt  
United States District Court  
Eastern District of New York  
Alfonse M. D'Amato U.S. Courthouse  
Courtroom 1020  
Central Islip, New York 11722

Re: Promote Innovation, LLC v. Leviton Manufacturing Co., Inc.  
Case No.: CV 11-1301 (ADS)(AKT)

Dear Judge Spatt:

We are local counsel for the defendant Leviton Manufacturing Co., Inc. ("Leviton") in the above-referenced matter. Leviton has a motion to dismiss Plaintiff's amended complaint pending before your Honor. Upon behalf of all parties, this is to advise that the parties have reached a settlement in principle to resolve this matter. Documents memorializing the settlement are in the process of being prepared.

Respectfully submitted,

*Thomas J. McGowan*  
Thomas J. McGowan

cc: Zachariah Harrington, Esq.  
*Counsel for Plaintiff*  
(Via Email)

*Case Closed Subject to the filing of a stipulation  
of Settlement - - - the terms of the Settlement.*

James Hosmer, Esq.  
*National Counsel for Leviton*  
(Via Email)

*Arthur D. Spatt, J.S.D.J* 8/26/11



Long Island's Business Law Firm

CELEBRATING 40 YEARS

1970 - 2010